C. B. (II) No. 127

COMMITTEE ON PETITIONS

FOURTEENTH REPORT

(SECOND LOK SABHA)

(Presented on the 7th December, 1961)

LOK SABHA SECRETARIAT
NEW DELHI
December, 1961
Price Rs. 0.15 nP.

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PERSONNEL OF THE COMMITTEE ON PETITIONS

Shri Upendranath Barman—*Chairman.*

2. Shri M. K. M. Abdul Salam
3. Shri B. Anjanappa
4. Shri Jagdish Awasthi
5. Thakor Shri Fatesinhji Ghodasar
6. Pandit Jwala Prasad Jyotishi
7. Shri Ram Chandra Majhi
8. Shrimati Krishna Mehta
9. Shri Mathura Prasad Mishra
10. Shri J. M. Mohammed Imam
11. Shri P. K. Vasudevan Nair
12. Shrimati Uma Nehru
13. Shri Nanubhai Nichhabhai Patel
14. Shri M. K. Shivananjappa
15. Shri N. Siva Raj.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

REPORT

I, the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this their Fourteenth Report.

2. The Committee held two sittings during the Fifteenth Session *i.e.* on the 2nd and 5th December, 1961 and considered the following matters:—

(1) Petition from Shri C. Kesaviah Naidu, Chittoor District, Andhra Pradesh, regarding renewal of broadcast receiver licences for villages by branch post offices (Petition No. 37—Appendix I).

(2) Representation of the Ministry of Labour and Employment regarding the recommendation of the Committee contained in their Twelfth Report in respect of a petition from Shri Lalbhai N. Desai. *re*: amendment of the Factories Act, 1948, Petition No. 40.

3. At their sitting held on the 5th December, 1961, the Committee considered and adopted the Report.

4. The decisions of the Committee on the above mentioned petitions as well as their observations regarding certain representations which are inadmissible as petitions but have been considered by them, have been included in this Report.

II

Petition No. 37 from Shri C. Keshaviah Naidu, Chittor District, Andhra Pradesh

5. The petition (Appendix I) was presented to Lok Sabha by Shri Osman Ali Khan, M.P. on the 31st August, 1959. The Committee had considered the petition on the 31st August and 25th November, 1959, 6th March and 2nd December, 1961, along with the replies received from the Director-General of Posts and Telegraphs and the Ministry of Information and Broadcasting. The facts of the case are as follows:—

6. According to the present practice, broadcast receiver licences are renewed only at sub-post offices or head post offices which are situated in towns or cities. The broadcast receiver licencees living in the villages have therefore, to go 20 or 30 miles to sub or head post offices for renewal of the licences. The petitioner suggested that in order to avoid travel expenses and inconveniences to licencees in the villages facilities should also be provided for renewal of broadcast receiver licences in the branch post offices which are situated in the villages.

7. The Director-General of Posts and Telegraphs, whose comments were invited, while appreciating the suggestion pointed out certain administrative difficulties in implementing the same. The main problem was that the branch post offices were manned by extra-departmental employees whom the Department was not in favour of saddling with additional monetary responsibility. The Department, however, agreed to examine the suggestion from the point of view of public convenience and if the resultant administrative problem was not incommensurate with the benefit to the public, it would have no objection to implement the suggestion.

8. The Director-General of Posts and Telegraphs after examining the matter further intimated that he had no objection to implement the suggestion provided that the Ministry of Information and Broadcasting was agreeable to pay an extra expense of 12 nP. per Broadcast Receiver licence so issued through the village branch post office in addition to Rs. 2/- per radio licence that is being paid at present. The Ministry of Information and Broadcasting were crediting the account of the Director General, Posts and Telegraphs with Rs. 2/- for every broadcast receiver licence issued by the latter for maintaining the wireless licencing and anti-piracy organisation.

9. The Ministry of Information and Broadcasting have intimated that they had no objection in principle to the suggestion of the petitioner but before they consider the demand of the Director-General, Posts & Telegraphs for extra payment of 12 nP. they have called from the Directorate the details of the actual expenses incurred by it for issue of broadcast receiver licences for which an amount of Rs. 2/- per licence was already being credited to it. The Directorate is collecting the necessary data which it has intimated would take some time before being completed.

10. From the replies received from the Directorate of Posts and Telegraphs and the Ministry of Information and Broadcasting it is apparent that there are no serious difficulties in implementing the suggestion of the petitioner. It is only a question of allocation of extra expenses of 12 nP. per broadcast receiver licence issued through village branch post offices. The Committee feel that this is a matter of detail which has to be settled by the two departments concerned.

11. The Committee note that it is the policy of the Government to encourage use of radios in villages and with this object in view they have already reduced the renewal licence fee for radio sets kept in the villages from Rs. 15/- to Rs. 10/-. Further, the extra expenses that will be incurred by the Government will not be much.

12. The Committee accordingly recommend that facilities should be provided in the branch post offices located in the villages for issue and renewal of broadcast receiver licences.

III

Representation of the Ministry of Labour and Employment regarding the Recommendation of the Committee contained in their Twelfth Report in respect of a Petition from Shri Lalbhai N. Desai Re: amendment of the Factories Act, 1948, Petition No. 40.

13. In Petition No. 40 from Shri Lalbhai N. Desai, Bulsar, Gujarat, which was presented to the Lok Sabha by Shri Indulal K. Yajnik, M.P. on the 9th March, 1960, the petitioner had *inter alia* stated that in a Civil or Criminal case a consolidated charge was permissible for different offences of same kind committed during a specified period while the Factories Act, 1948 permitted different charges to be framed and heard separately for each offence of same kind. This involves separate expenses for defence of each charge which was a source of considerable hardship for small factory owners. The petitioner, therefore, had suggested that Factories Act should be amended to enable consolidated charges being framed for different offences of the same kind, committed during a specified period.

14. After hearing Shri Indulal K. Yajnik, M.P. and perusing the comments of the Ministry of Labour and Employment the Committee in their Twelfth Report recommended as follows:—

> "The Committee recommend that it is desirable to evolve a uniform procedure in consultation with the State Governments for consolidation of charges framed under the various provisions of the Factories Act, 1948 so as to minimise the expenses and save the time of the affected persons. In order to achieve this, if it is found necessary, the Factories Act, 1948, might also be got amended accordingly."

15. The Committee have noted the following comments of the Ministry of Labour and Employment on the above recommendation:

> The matter has been carefully considered in consultation with the Chief Advisor Factories, the State Chief Inspectors of Factories and the Ministry of Law. From the replies received from the States, it is observed that almost in all the States the procedure ordained by section 234 of the Criminal Procedure Code is being followed and if there is a departure from the principle it is only to secure adequate quantum of punishment and cases of this kind are rare. It is therefore not considered necessary to undertake any amendment of Factories Act, 1948.

IV

Representations inadmissible as petitions

16. At their above mentioned sittings held during the Fifteenth Session, 1961, the Committee considered 41 representations and letters addressed by various individuals, associations etc. to the House, the

Speaker or the Chairman of the Committee, which were inadmissible as petitions.

17. The Committee observed with satisfaction that, through their intervention during the period under report, 6 petitioners had been provided expeditious relief or complete or due redressal of their grievances or that the Ministries concerned had explained satisfactorily the grounds for not being able to remove the petitioners' grievances (see Appendix II).

UPENDRANATH BARMAN,
Chairman,
Committee of Petitions

The 6th December, 1961.

APPENDIX I

Petition No. 37

(Presented by Shri Osman Ali Khan, M.P., on the 31st August, 1959)

(*See* para 5 of the Report)

To

Lok Sabha,
New Delhi.

The humble petition of Shri C. Kesaviah Naidu, Chittoor District, Andhra State

SHEWETH

At present Broadcast Receiver Licences for villages are issued at a concessional rate of Rs. 10 per year. For the purpose of renewal, the licencees have to go a long distance to a Sub-Office or a Head Office spending much money towards bus (or train) fare and hotel charges. This involves much waste of time to a cultivator in the village and heavy expenditure for the to and fro journeys. It is suggested that all Branch Post Offices might be authorised to receive the Renewal Broadcast Receiver Licence and the fee and issue a temporary receipt therefor. The Postal officials might be directed to send the application and the fee to their respective Accounts Offices and to obtain a licence. On receipt at the Branch Office, the licence should be delivered to the licencee on his surrendering the temporary receipt.

and accordingly your petitioner prays that:—

(i) the Rules framed under the Indian Telegraph Act, 1885 might be amended suitably to enable the issue of temporary receipts for renewal of Broadcast Receiver Licences by the Branch Postmasters; and

(ii) arrangements might be made to deliver the Broadcast Receiver Licences at the doors of the licencees and take back the temporary receipts.

and your petitioner as in duty bound will ever pray.

Name of Petitioner	Full Address	Signature with date
C. KESAVIAH NAIDU	Member, District Planning and Development Committee, Bheemavaram Village, Chittoor District, Andhra Pradesh.	Sd/- C. Kesaviah Naidu 26-6-59

Countersigned by { S. Osman Ali Khan
Div. No. 54

APPENDIX II

(*See* para 16 of the Minutes)

List of Representations on which the Committee's intervention had procured speedy, partial or complete relief or elicited replies from the Ministries concerned meeting adequately the petitioners' points.

Sl. No.	Name of Petitioner	Brief Subject	Facts perused by the Committee
1	2	3	4
1	President, Grain Seed and Merchants' Association, Pipariya.	Inadequate supply of wagons to move huge accumulated stocks of dals and pulses at Pipariya.	(Min. of Railways). Wagon supply position in Jabalpur Dv. was difficult due to higher priority traffic, such as cement, raw materials etc. The grain and pulses fall under item 'E' and there is some delay in supply of wagons for clearance of traffic falling under item 'E'. The Committee desired that the Ministry might be asked to improve the position of wagon supply.
2	Shri N. C. Nath and Shrimati I. F. Nath, Bangalore.	Investigation of complaint against co-operative banks of Ludhiana, Jullundur and Ferozepur (*i.e.* non-payment of dividend)	(Min. of Community Development & Co-operation). Shares of the petitioners have been paid to them. Regarding the payment of shares by the Jullundur Central Co-operative Bank as Shri N. C. Nath has died, his daughter who is his nominee, has applied. Her application will be considered by the Board at their next sitting.
3	Shri Khanchand Hashmat Rai, Bombay.	Non-payment of assessed compensation for over 8 years.	(Min. of Rehab.) The petitioner was entitled compensation of Rs. 4,558/-. Out of this sum Rs. 2,524/- was adjusted towards the dues of Sindhu Resettlement Corporation and for the balance of Rs. 2,034/- a statement of account has been issued to him on 27-10-61.

1	2	3	4
4	Shri R. K. Ganguly, Agra.	Late delivery of telegram.	(Min. of Trans. & Com.) The delay though unfortunate was unavoidable. Action to refund the cost of the telegram is being taken.
5	Shri C. Kesaviah Naidu, Chittoor.	Amendment of Sec. 16(2) of the Electricity (Supply) Act, 1948, to provide for representation of Local Advisory Committee on the State Electricity Consultative Council.	(Min. of Irrigation and Power) It is the responsibility of the State Governments to constitute the State Electricity Consultative Councils and the Local Advisory Committees. The Central Govt. have no direct responsibilty. Constitution of Local Advisory Committees is not compulsory under the Act. It is left to the discretion of the State Govt. Further, such a Committee may be appointed for a short period. No provision can be made in the Act for representation of such a temporary body on the State Council which is a permanent body. Therefore amendment of the Act is not necessary.
6	Shri Daulat Ram Kanda, Proprietor of the Kanda & Co., Delhi.	Non-payment of dues for handling work on Zone No. 4 of the Delhi Division.	(Min. of Railways) The Ministry of Railways had *inter alia* stated that the contractor has taken his claims to arbitration and further action will be taken by the Railways on the declaration of the award of the arbitrator.

GMGIPND—LS I—1560 (E) LS—6-12-61—900